

REMARKS

Claims 7, 8, 17, and 18 have been amended, and claims 1-31 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 7, 8, 23, and 25 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicants have amended the claims to resolve the issues identified by the Examiner. Accordingly, the rejection of claims 7, 8, 23, and 25 under 35 U.S.C. § 112 should be withdrawn. For example, the applicants have reviewed the claims to ensure that the term "DC video image of the current frame" recited in claim 23 has antecedent support.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-3, 5, 11-13, 15, 21, 30 and 31 are rejected under 35 U.S.C. §102(e) as being anticipated by Lee et al. (U.S. Publication 2003/0081133 A1). The applicants respectfully traverse.

Lee is not available as prior art. The Lee reference was filed on October 15, 2002. The instant application, however, claims priority to International Application No. PCT/KR03/01305, filed on July 3, 2003, and Korean Patent Application No. 2002-38659, filed on July 3, 2002. The applicants are submitted a verified translation of the Korean patent application to perfect the claim to foreign priority. Since the foreign priority date is prior to the filing date of the Lee reference, the Lee reference is not available as prior art under 35 U.S.C. § 102(3), and the rejection must be withdrawn.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 4, 6-9, 14, 16-19, 22, 23, 26 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (U.S. Publication 2003/0081133 A1) and in view of Wee et al. (U.S. Patent 6, 104,441).

Lee is not available as prior art under 35 U.S.C. § 103(a) for the reasons given above.

Even assuming *arguendo* that the Lee reference is available as prior art under 35 U.S.C. § 102(e), a reference that is available as prior art only under sections 102(e), 102(f), or 102(g) is not available as prior art under 25 U.S.C. 103(a) if the reference and the application were owned by the same person or subject to an obligation of assignment to the same person. In this case, both the instant application and the Lee reference were assigned to Samsung Electronics, Ltd. as of the filing date of the instant application. The Lee reference is not available as prior art for the purposes of 35 U.S.C. § 103(a), and the rejection of claims 4, 6-9, 14, 16-19, 22, 23, 26, and 27 must be withdrawn.

Claims 10, 20, 24, 25, 28 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (U.S. Publication 2003/0081133 A1) and Wee et al. (U.S. Patent 6,104,441) as applied to claim 6 above, and further in view of Takahasi (U.S. Publication 2002/0044685 A1). Lee is not available as prior art under 35 U.S.C. § 103(a) for the reasons given above. Accordingly, the rejection of claims 10, 20, 24, 25, 28, and 29 must be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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